

TRIPURA



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**PART--I-- Orders and Notifications by the Government of Tripura,
The High Court, Government Treasury etc.**

**GOVERNMENT OF TRIPURA
LABOUR DEPARTMENT.**

No.F. 16(10)-LAB/ENF/CL/2020/7663

Dated, Agartala, the 28th December, 2020.

NOTIFICATION

The following draft Rules further to amend the Tripura Contract Labour (Regulation and Abolition) Rules, 1978, which the Government of Tripura propose to make, in exercise of the powers conferred by Section 35 of the Contract Labour (Regulation and Abolition) Act, 1970(No. 37 of 1970), is hereby published as required by sub-section (1) of the said section, for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft rules will be taken into consideration after the expiry of a period of thirty (30) days from the date of publication of this notification in the Official Gazette.

Objections or suggestions, if any, may be addressed to the Special Secretary to the Government of Tripura, Labour Department, Civil Secretariat, Agartala, Tripura or may be mailed to secy.tripura@gov.in .

Objections and suggestions , which may be received from any person in respect of the said draft rules before the expiry of the aforesaid period , will be considered by the State Government.

DRAFT RULES

1. (1) These rules may be called the Tripura Contract Labour (Regulation and Abolition) (Fourth Amendment) Rules, 2020.

(2) They shall come into force on the date of final publication in the Official Gazette.

2. In the Tripura Contract Labour (Regulation and Abolition) Rules, 1978 (herein after referred to as the Principal Rules), in rule 12,-

(i) in sub-rule(1),-

(a) the words "in triplicate", shall be omitted;

(b) for the words "to the registering Officer of the area in which the establishment sought to be registered is located", the words "online on the

Shram Suvidha Portal of the Labour Directorate or any other web-portal notified by the Government of Tripura,” shall be substituted;

(ii) for sub-rule(2) the following sub-rule shall be substituted, namely:-

“(2) The payment of fees for the registration of the establishment referred to in sub-rule (1) shall be made through e-payment”;

(iii) sub-rule(3) shall be omitted;

(iv) for sub-rule (4), the following sub-rule shall be substituted, namely:-

“(4) On submission of e-application referred to in sub-rule(1) by the applicant, an automated acknowledgement shall be generated electronically on the web – portal specified in the said sub-rule.”

3. In the principal rules, in rule 13, -

(i) for sub-rule(1), the following sub-rule shall be substituted, namely:-

“(1) The certificate of registration granted under sub-section (2) of section (7) and generated electronically on the web-portal shall be in Form I annexed to the “Tripura Rationalization of Forms and Reports under Certain Labour Laws Rules, 2019”

(ii) in sub-rule (3), for the words “to the registering officer”, the words, figures and brackets “online on the web-portal specified in sub-rule (1) of rule 17” shall be substituted;

4. In the principal rules, in rule 14,-

in sub-rule(1),-

(i) after the words “a sum which, together with the amount already paid by such principal employer, would be equal to such higher amount of fees payable”, the words “by e-payment” shall be inserted;

(ii) the words “and to produce the treasury receipt showing such deposit” shall be omitted;

5. In the principal rules, in rule 15,-

(i) in sub-rule(1),-

(a) the words “in triplicate”, shall be omitted;

(b) the words “to the licensing officer of the area in which the establishment, in relation to which he is the contractor, is located” shall be omitted

(ii) in sub-rule (2), for the words “accompanied by a”, the words “accompanied by uploading a copy of the”, shall be substituted;

(iii) sub-rule(3) shall be omitted;

(iv) for sub-rule (4), the following sub-rule shall be substituted, namely:-

“(4) On submission of e-application referred to in sub-rule (1) by the applicant an automated acknowledgement shall be generated electronically on the web – portal specified in sub-rule(1) of rule 12”.

(v) for sub-rule (5), the following sub-rule shall be substituted, namely:-

“(5) The deposit of security at the rates specified in rule 18 and the payment of fees at the rates specified in rule 20 in respect of application referred to in sub-rule (1) shall be made by e-payment”;

6. In the principal rules, in rule 17 , in clause (ii) of sub-rule (2), after the words “communicated to the applicant”, the words brackets and figures “online through web-portal specified in sub-rule (1) of rule 12” shall be inserted;

7. In the principal rules, in rule 18,

in sub-rule (2) for the words “in the local treasury”, the words “by e-payment” shall be substituted;

8. In the principal rules, in rule 20 ,

(i) in sub-rule (1) after the words “fees to be paid”, the words “by e-payment” shall be inserted;

(ii) in sub-rule (2) after the words “fees to be paid”, the words “by e-payment” shall be substituted;

9. In the principal rules, in rule 22,-

(i) in sub-rule (3), in clause (i), for the words “to furnish a treasury receipt” the words “by e-payment,” shall be substituted;

(ii) in sub-rule (3), in clause (ii) for the words “on the applicant furnishing the requisite treasury receipt”, the words “on payment of the requisite amount by the applicant through e-payment” shall be substituted.

(iii) in sub-rule (4), after the words “to the applicant”, the words, figures and brackets “online through the web-portal specified in sub-rule(1) of rule 12” shall be inserted;

10. In the principal rules, in rule 23,-

(i) for sub-rule (1) the following sub-rule shall be substituted, namely:-

“(1) Every contractor shall apply online through the web-portal specified in sub-rule(1) of rule 12 for auto-renewal of licence on paying renewal fees by e-payment”;

(ii) in sub- Rule (2), the words “in triplicate” shall be omitted.

11. In the principal rules, Rule 26 shall be omitted.

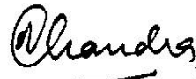
12. In the principal rules, in rule 70,-

(i) for sub-rule (1) the following sub-rule shall be substituted, namely:-

“Every employer and contractor shall upload a unified annual return online, in Form XXIV, on or before the 1st day of January every year on the web-portal specified in sub-rule(1) of rule 12, giving information as to the particulars specified in respect of the preceding year”;

(ii) sub-rule(2) shall be omitted.

13. In the principal rules, for the Form XXIV the following Form shall be substituted:


28/12/20
(ABHISHEK CHANDRA)
Special Secretary to the
Government of Tripura

FORM XXIV
[SEE RULE 70(1)]
UNIFIED ANNUAL RETURN

A

General part:

- (a) Name of the establishment _____
Address of the establishment: House No./Flat No. _____ Street/ Plot No. _____
Town _____ District _____ State _____ Pin Code _____
- (b) Name of the employer _____
Address of the employer: House No./Flat No. _____ Street/ Plot No. _____
Town _____ District _____ State _____ Pin Code _____
E-mail ID _____ Telephone No. _____ Mobile No. _____
- (c) Name of the manager or person responsible for supervision and control of the establishment _____
Address: House No./Flat No. _____ Street/Plot No. _____ Town _____
District _____ State _____ Pin Code _____
E-mail ID _____ Telephone No. _____ Mobile No. _____

Part B:

Employer's Registration/ License number under the Acts mentioned in table

Sl.No	Name of the Act	Registration No	Licence No
1	Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996		Not Applicable
2	Contract Labour (Regulation and Abolition) Act, 1970		
3	Inter-State Migrant Workmen (Regulation of Employment and Condition of Service) Act, 1979		
4	Motor Transport Workers Act, 1961		Not Applicable
5	The Plantation Labour Act, 1951		Not Applicable
6	The Beedi and Cigar workers (Conditions of Employment) Act, 1966	Not Applicable	

Part C.

Details of Principal Employer, Contractor and Contract Labour:

1	Name of the principal employer in the case of a contractor's establishment.	
2	Date of commencement of the establishment.	
3	Number of contractors engaged in the establishment during the year.	
4	Total Number of days during the year on which contract labour were employed	
5	Total number of man-days worked by contract labour during the year	
6	Name of the Manager /Agent (if any)	
7	Address of the employer _____ House No./Flat No. _____ Street/Plot No. _____ Town _____ District _____ State _____ Pin Code _____ E-mail ID _____ Telephone Number _____ Mobile No _____	

Part D.

Working hours and week day:

1	Number of working days during the year.	
2	Number of man-days worked during the year.	
3	Daily hours of work.	
4	Weekly day of rest.	

Part E.

Maximum number of persons employed in any day during the year.

Sl. No	Male	Female	Adolescents (between the age of 14 to 18 years.)	Children (below 14 years of age.)	Total

Part F.

Wage rates (Category Wise):

Category	Rate of Wages	Number of workers							
		Regular				Contract			
		Male	Female	Children	Adolescent	Male	Female	Children	Adolescent
Highly Skilled									
Skilled									
Semi-skilled									
Un-skilled									

Part G .

(a) Details of Payments:

Gross wages paid		Deductions			Net wages paid	
In cash	In kind	Fines	Deductions for damage or loss	Others	In cash	In kind

(b) Number of workers who were granted leave with wages during the year.

Sl. No.	During the year	Number of workers	Granted leave with wages

Part H.

Details of various welfare amenities provided under the statutory schemes

Sl. No.	Nature of various welfare amenities provided	Statutory (specify the statute)

Part I

The Maternity Benefit

(a) Details of establishment, medical and paramedical staff:

1.	Date of opening of establishment	
2	Date of closing , if closed	
3	Name of Medical Officer	
3(i)	Qualification of Medical officer	
3(ii)	If a part time, how often does he/ she pay visit to establishment	
3(iii)	Is there any Hospital?	
3(iv)	If, so how many beds are provided ?	
3(v)	Is there a lady Doctor ?	
3(vi)	If so, what is her qualification?	
3(vii)	Is there a qualified mid – wife?	
3(viii)	Has any crèche been provided?	

(b) Leave Granted under the Maternity Benefit

1	Total number of female employees in the establishment	
2	Total number of leave granted	
3	Number of employees granted maternity leave	

Part J

Building and Others Construction Workers

A	Maximum number of building workers employed on any day during the year		
B	The number of accidents that took place during the year		
B1(i)	The number of accidents resulting in disablement of building workers for less than 48 hours		
B1(ii)	The number of building workers involved		
B1(iii)	The number of man-days lost		

B2(i)	The number of accidents resulting in disablement of building workers beyond 48 hours but not resulting in any permanent partial or permanent total disablement		
B2(ii)	The number of building workers involved		
B2(iii)	The number of man-days lost on account of such accidents		
B3(i)	The number of accidents resulting in permanent partial or total disablement		
B3(ii)	The number of building workers involved		
B3(iii)	The number of man-days lost on account of such accidents		
B4(i)	The number of accidents resulting in deaths of building workers and the number of resultant deaths		
C	Change, if any, in the management of the establishment, its location, or any other particulars furnished to the Registering Officer in the application for Registration indicating also the dates		

Part K

The payment of Bonus

Number of Employees benefitted by bonus payment:

1	2	3	4	5	6	7
Total amount payable as bonus	Settlement if any, reached	Percentage of bonus declared	Total amount of bonus actually paid	Date on which payment made	Whether bonus has been paid to all the employees, if not reason for non-payment	Remarks

Part L

The Inter- State Migrant Workmen

1	Number of Contractors worked in the Establishment during the Year	
2	Nature work / Operation in which inter – state migrant workmen were employed	
3	Maximum number of inter - state migrant workmen employed	
4	Total number of days during the year on which migrant workmen were employed	
5	Total number of man – days of inter – state migrant workmen worked:	

DECLARATION

It is to certify that the above Information are true and correct and I also certify that I have complied with all the provisions of Labour Laws applicable to my establishment.

Place :-

Date :-

Signature of the Employer
with seal